

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Duncan Roger HARPER, et al.      Art Unit : 1796  
Serial No. : 10/091,284                              Examiner : Daniel Metzmaier  
Filed : March 5, 2002                              Conf. No. : 5606  
Title : AEROSOL COMPOSITIONS TO WHICH AN ELECTROSTATIC CHARGE  
CAN BE IMPARTED UPON ACTUATION

Commissioner for Patents  
Mailstop Petitions  
P.O. Box 1450  
Alexandria, VA 22313-1450

SECOND PETITION TO CORRECT DECLARATION UNDER 37 C.F.R. § 1.63

Pursuant to 37 C.F.R. § 1.182, Applicants hereby petition the Director to correct the declaration under 37 C.F.R. § 1.63, filed herein on 5 June 2002, to indicate that the citizenship of inventor John Douglas Morgan is Australian. Said declaration erroneously indicated his citizenship of "United".

A first Petition to correct the declaration was filed on 8 June 2009 but, in a Decision dated 21 August 2009, said Petition was dismissed. The Decision set an unextendable two-month period for Applicants to file a renewed petition. Applicants were not able to file a renewed petition within this time limit and therefore the instant petition is designated a Second Petition.

1. Upon receipt of the Decision on Petition, the undersigned attorney undertook some investigation and discovered that a John Douglas Peter Morgan, a named applicant in several pending United States patent applications, was employed by Silverbrook Research Pty Limited, of Balmain, New South Wales. Believing that John Douglas Peter Morgan is the same person as the John Douglas Morgan who is an applicant in the instant application, the undersigned attorney – on 1 September 2009 – wrote to Mr. Morgan with a request that he execute a corrected declaration. A copy of this letter, together with its enclosures, is here attached as Exhibit 7.

**CERTIFICATE OF MAILING BY EFS-WEB FILING**

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: November 12, 2009

2. Nothing further was heard from Mr. Morgan until receipt, on 4 November 2009, of the original 1 September letter, which was accompanied by a declaration signed by Mr. Morgan on 28 October 2009. The letter is here attached as Exhibit 8. The declaration signed by Mr. Morgan is here attached as Exhibit 9.

3. The supplemental declaration herewith submitted complies with 37 C.F.R. § 1.67(a) and all of the other applicable rules because it identifies the entire inventive entity and is signed by the inventor/applicant to whom the requested correction relates. Accordingly, it is requested that this Second Petition be granted.

The fee of \$400 required under 37 C.F.R. § 1.17(f), is being paid concurrently on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other required fees to deposit account 06-1050, reference 08291-0719001.

Respectfully submitted,

Date: 12 November 2009

/Frederick H. Rabin/  
Frederick H. Rabin  
Reg. No. 24,488

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110  
Telephone: (617) 542-5070  
Facsimile: (877) 769-7945

## **EXHIBIT 7**

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Frederick P. Fish  
1895-1930

W.K. Richardson  
1859-1951

VIA FEDERAL EXPRESS

1 September 2009

Mr. John Douglas Peter Morgan  
Silverbrook Research Pty Limited  
393 Darling Street  
Balmain  
New South Wales 2041  
Australia



ATLANTA

AUSTIN

BOSTON

DALLAS

DELAWARE

HOUSTON

MUNICH

NEW YORK

SAN DIEGO

SILICON VALLEY

TWIN CITIES

WASHINGTON, DC

Re: AEROSOL COMPOSITIONS TO WHICH AN  
ELECTROSTATIC CHARGE CAN BE IMPARTED UPON ACTUATION

Applicant: Duncan Roger HARPER, et al.  
Application No.: 10/091,284  
Filing Date: March 5, 2002  
Country: United States  
Your Ref.: 10279P1 USw/DM/JMH  
Our Ref.: 08291-0719001

Dear Mr. Morgan:

We are the attorneys handling the above mentioned United States Patent Application. It corresponds to PCT Application No. PCT/GB00/03426, covering an invention made by you (as co-inventor) when you were at Reckitt Benckiser. To refresh your memory, I am enclosing a copy of the cover page of the application as published in the United States.

It has come to our attention that the signed declaration for the American application did not correctly indicate your citizenship; enclosed is a copy of the declaration as filed. I am happy to report that the application has now been allowed but, in order to proceed with obtaining a patent, we have to submit a corrected declaration that includes your citizenship.

FISH & RICHARDSON P.C.

Mr. John Douglas Peter Morgan

1 September 2009

Page 2

Enclosed is a declaration, which should be signed and dated by you in the appropriate place on page two. (Although the other inventors have to be mentioned in this declaration, their signatures are not required.) Kindly return the signed declaration to us in the enclosed pre-paid federal express envelope.

Thank you in advance for your assistance in this matter.

Very truly yours,

Frederick H. Rabin

cc w/encl:     Jeremy Holmes, Esq. (via facsimile)  
                  Danielle Milner (via facsimile)

22259635.doc

## DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled AEROSOL COMPOSITIONS TO WHICH AN ELECTROSTATIC CHARGE CAN BE IMPARTED UPON ACTUATION, the specification of which:

☐ is attached hereto.

☒ was filed on 5 March 2002 as Application Serial No. 10/091,284 and was amended on \_\_\_\_\_

☒ was described and claimed in PCT International Application No. PCT/GB00/03426 filed on 5 September 2000 and as amended under PCT Article 19 on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Serial No.	Filing Date	Status
PCT/GB00/03426	September 5, 2000	

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Country	Application No.	Filing Date	Priority Claimed
United Kingdom	9921037.9	7 September 1999	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

# **Declaration**

Page 2 of 3 Pages

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: DUNCAN ROGER HARPER

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Residence Address: Hull, UNITED KINGDOM  
 Citizenship: British  
 Post Office Address: Flat 2  
 78 The Boulevard  
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Full Name of Inventor: NEALE HARRISON

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Residence Address: Burton-on-Trent, UNITED KINGDOM  
 Citizenship: British  
 Post Office Address: 27 Cromwell Close  
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 Burton-on-Trent DE13 9HZ  
 UNITED KINGDOM

Full Name of Inventor: JOHN DOUGLAS MORGAN

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Residence Address: Balmain, AUSTRALIA  
 Citizenship: Australian  
 Post Office Address: 393 Darling Street  
 Balmain  
 New South Wales 2041  
 AUSTRALIA

**Declaration**  
Page 3 of 3 Pages

Full Name of Inventor: JOHN HOWARD CLINT

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence Address: Beverley, UNITED KINGDOM  
Citizenship: British  
Post Office Address: 119 The Meadows  
Cherry Burton  
Beverley HU17 7RL  
UNITED KINGDOM

Full Name of Inventor: MARIO ABELA

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence Address: Quakers Hill, AUSTRALIA  
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Post Office Address: 23 Mansion Court  
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New South Wales 2763  
AUSTRALIA





US 2003/0096878 A1

(16) United States

(12) Patent Application Publication

(10) Pub. No.: US 2003/0096878 A1

Harper et al.

(13) Pub. Date:

May 22, 2003

(54) ELECTROSTATIC AEROSOL  
COMPOSITIONS

## Related U.S. Application Data

(75) Inventors: Duncan Roger Harper, Nottingham  
(GB); Neale Harrison, Burton-on-Trent  
(GB); John Douglas Morgan,  
Cardiffport (AU); John Howard CBot,  
Beverly (GB); Mario Abela, Quakers  
Hill (AU)(53) Continuation of application No. PCT/GB00/00426,  
Filed on Sep. 3, 2000.

## (30) Foreign Application Priority Data

Sep. 7, 1999 (GB) 9921037.9

## Publication Classification

Correspondence Address:  
Frederick H. Rubin  
Fish & Richardson P.C.  
Suite 2800  
40 Rockefeller Plaza  
New York, NY 10011 (US)(51) Int. Cl.<sup>7</sup> B01F 3/04

(52) U.S. Cl. 516/1

## (57) ABSTRACT

An electrically neutral composition in the form of a water-in-oil or an oil-in-water emulsion is imparted with a unipolar electrostatic charge on spraying from an aerosol spray device by incorporating into the composition a non-ionic surfactant and at least one polar or ionic or aromatic or linearly conjugated compound. The amount of the polar or ionic or aromatic or linearly conjugated compound included in the composition is about 0.01 to about 80% w/w based on the non-ionic surfactant, but is such that the theoretical conductivity of the emulsion is less than the bulk conductivity of the emulsion.

(73) Assignee: Rockitt Benelux (UK) Limited

(21) Appl. No.: 10/091,284

(22) Filed: Mar. 5, 2002

Attorney's Docket No.: 08291-719001  
Client's Ref. No.: 10279P1

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled AEROSOL COMPOSITIONS TO WHICH AN ELECTROSTATIC CHARGE CAN BE IMPARTED UPON ACTUATION, the specification of which:

- ☐ is attached hereto.  
☒ was filed on 1 March 2002 as Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_  
☒ was described and claimed in PCT International Application No. PCT/GB00/03426 filed on 3 September 2000 and as amended under PCT Article 19 on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

U.S. Serial No.	Filing Date	Status

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Serial No.	Filing Date	Status
PCT/GB00/03426	September 5, 2000	

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Country	Application No.	Filing Date	Priority Claimed
United Kingdom	9921037.9	7 September 1999	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Attorney's Docket No.: 08291-719001  
Client's Ref. No.: 10279P1

Combined Declaration and Power of Attorney  
Page 3 of 3 Pages

Full Name of Inventor: JOHN DOUGLAS MORGAN

Inventor's Signature: \_\_\_\_\_

Date: 20th May 2002

Residence Address: Carlingford, AUSTRALIA

Citizenship: United

Post Office Address: 4 Fredericks Place  
Carlingford  
New South Wales 2118  
AUSTRALIA

Full Name of Inventor: JOHN HOWARD CLINT

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence Address: Beverley, UNITED KINGDOM

Citizenship: British

Post Office Address: 119 The Meadows  
Cherry Burton  
Beverley HU17 7RL  
UNITED KINGDOM

Full Name of Inventor: MARIO ABELA

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence Address: Quakers Hill, AUSTRALIA

Citizenship: Australian

Post Office Address: 23 Mansion Court  
Quakers Hill  
New South Wales 2763, AUSTRALIA

## EXHIBIT 8

# FISH & RICHARDSON P.C.

Frederick P. Fish  
(855-4930)

W.K. Richardson  
(859-4931)

VIA FEDERAL EXPRESS

1 September 2009

Mr. John Douglas Peter Morgan  
Silverbrook Research Pty Limited  
393 Darling Street  
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Email  
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HOUSTON

MUNICH

NEW YORK

SAN DIEGO

SILICON VALLEY

TWIN CITIES

WASHINGTON, DC

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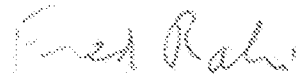
FISH & RICHARDSON P.C.

Mr. John Douglas Peter Morgan  
1 September 2009  
Page 2

Enclosed is a declaration, which should be signed and dated by you in the appropriate place on page two. (Although the other inventors have to be mentioned in this declaration, their signatures are not required.) Kindly return the signed declaration to us in the enclosed pre-paid federal express envelope.

Thank you in advance for your assistance in this matter.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Fred Rabin".

Frederick H. Rabin

cc w/encl:     Jeremy Holmes, Esq. (via facsimile)  
                  Danielle Milner (via facsimile)

22259635.doc

## **EXHIBIT 9**

## DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled AEROSOL COMPOSITIONS TO WHICH AN ELECTROSTATIC CHARGE CAN BE IMPARTED UPON ACTUATION, the specification of which:

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<u>U.S. Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
<u>PCT/GB00/03426</u>	<u>September 5, 2000</u>	

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

<u>Country</u>	<u>Application No.</u>	<u>Filing Date</u>	<u>Priority Claimed</u>
<u>United Kingdom</u>	<u>9921037.9</u>	<u>7 September 1999</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No



**Declaration**  
Page 2 of 3 Pages

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

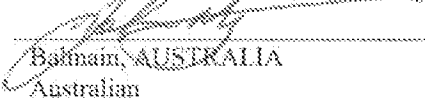
Full Name of Inventor: DUNCAN ROGER HARPER

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence Address: Hull, UNITED KINGDOM  
Citizenship: British  
Post Office Address: Flat 2  
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UNITED KINGDOM

Full Name of Inventor: NEALE HARRISON

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
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Citizenship: British  
Post Office Address: 27 Cromwell Close  
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UNITED KINGDOM

Full Name of Inventor: JOHN DOUGLAS MORGAN

Inventor's Signature:  \_\_\_\_\_ Date: 28/10/09  
Residence Address: Balmain, AUSTRALIA  
Citizenship: Australian  
Post Office Address: 393 Darling Street  
Balmain  
New South Wales 2041  
AUSTRALIA

**Declaration**  
Page 3 of 3 Pages

Full Name of Inventor: JOHN HOWARD CLINT

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence Address: Beverley, UNITED KINGDOM  
Citizenship: British  
Post Office Address: 119 The Meadows  
Cherry Burton  
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UNITED KINGDOM

Full Name of Inventor: MARIO ABELA

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence Address: Quakers Hill, AUSTRALIA  
Citizenship: Australian  
Post Office Address: 23 Mansion Court  
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New South Wales 2763  
AUSTRALIA